

**COMBINED DECLARATION AND POWER OF ATTORNEY FOR
ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,
DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PROCESS AND APPARATUS FOR CONVERTING OIL SHALE OR TAR SANDS TO OIL

the specification of which

- a. ☒ is attached hereto
- b. ☐ was filed on _____ as application Serial No. _____ and was amended on _____ (if applicable).

PCT FILED APPLICATION ENTERING NATIONAL STAGE

- c. ☐ was described and claimed in International Application No. _____ filed on _____ and as amended on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby specify the following as the correspondence address to which all communications about this application are to be directed:

SEND CORRESPONDENCE TO: MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, N.Y. 10154

DIRECT TELEPHONE CALLS TO: Michael S. Marcus, Esq.
(202) 857-7887

☐ I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a)-(d) or under § 365(b) of any foreign application(s) for patent or inventor's certificate or under § 365(a) of any PCT international application(s) designating at least one country other than the U.S. listed below and also have identified below such foreign application(s) for patent or inventor's certificate or such PCT international application(s) filed by me on the same subject matter having a filing date within twelve (12) months before that of the application on which priority is claimed:

☐ The attached 35 U.S.C. § 119 claim for priority for the application(s) listed below forms a part of this declaration.

<u>Country/PCT</u>	<u>Application Number</u>	<u>Date of filing (day, month, yr.)</u>	<u>Date of issue (day, month, yr.)</u>	<u>Claimed</u>	<u>Priority</u>
					[] YES [] NO
					[] YES [] NO
					[] YES [] NO

[] I hereby claim the benefit under 35 U.S.C. § 119(e) of any U.S. provisional application(s) listed below.

Provisional Application No.

Date of filing (day, month, yr.)

**ADDITIONAL STATEMENTS FOR DIVISIONAL,
CONTINUATION OR CONTINUATION-IN-PART OR
PCT INTERNATIONAL APPLICATION(S DESIGNATING THE U.S.)**

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or under § 365(c) of any PCT international application(s) designating the U.S. listed below.

09/457,729	December 10, 1999	Pending
US/PCT Application Serial No.	Filing Date,	Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)
08/058,184	April 10, 1998	Pending
US/PCT Application Serial No.	Filing Date,	Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)
08/843,178	April 14, 1997	Patented
US/PCT Application Serial No.	Filing Date,	Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)

08/551,019

October 31, 1995

Patented

US/PCT Application Serial No.

Filing Date,

Status (patented, pending, abandoned)/
U.S. application no. assigned (For PCT)

[X] In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the above listed prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith: John A. Diaz (Reg. No. 19,550), John C. Vassil (Reg. No. 19,098), Alfred P. Ewert (Reg. No. 19,887), David H. Pfeffer, P.C. (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C. H. Lin (Reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595), Michael A. Nicodema (Reg. No. 33,199), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddles (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676) and Michael M. Murray (Reg. No. 32,537) of Morgan & Finnegan, L.L.P. whose address is: 345 Park Avenue, New York, New York 10154; and Michael S. Marcus, Reg. No. 31,727, Joseph C. Redmond, Jr., Reg. No. 18,753; John E. Hoel, Reg. No. 26,279, and Stanley B. Green, Reg. No. 24,351 of Morgan & Finnegan, L.L.P., whose address is: 1775 Eye Street, N.W., Suite 400, Washington, D.C. 20006.

[] I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept and follow instructions from _____ as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and/or agents and me. In the event of a change in the person(s) from whom instructions may be taken I will so notify the U.S. attorneys and/or agents named hereinabove.

Full name of sole or first inventor Chalmer G. KIRKBRIDE

Inventor's signature* _____

_____ date

Residence 7806 4th Avenue, Bradenton, Florida 34209

Citizenship U.S.A.

Post Office Address 7806 4th Avenue, Bradenton, Florida 34209

Full name of second joint inventor, if any James A. DOYLE

Inventor's signature* _____

dateResidence 8842 Eatonwick Road, Cordobia, Tennessee 38018Citizenship U.S.A.Post Office Address 8842 Eatonwick Road, Cordobia, Tennessee 38018Full name of third joint inventor, if any Fred HILDEBRANDTInventor's signature* *F. Hildebrandt*March 1, 2000
dateResidence Box 31, NAMO, Alberta, TOA 2N0, CANADACitizenship CANADAPost Office Address Box 31, NAMO, Alberta, TOA 2N0, CANADA

* Before signing this declaration, each person signing must:

1. Review the declaration and verify the correctness of all information therein; and
2. Review the specification and the claims, including any amendments made to the claims.

After the declaration is signed, the specification and claims are not to be altered.

[] ATTACHED IS ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY THIRD AND SUBSEQUENT INVENTORS FORM.

To the inventor(s):

The following are cited in or pertinent to the declaration attached to the accompanying application:

Title 37, Code of Federal Regulation, §1.56

Duty to disclose information material to patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with

which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Title 35, U.S. Code § 101

Inventions patentable

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Title 35 U.S. Code § 102

Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless --

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent,
- (b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other ...

Title 35, U.S. Code § 103

Conditions for patentability; non-obvious subject matter

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Title 35, U.S. Code § 112 (in part)

Specification

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Title 35, U.S. Code, § 119

Benefit of earlier filing date in foreign country; right of priority

An application for patent for an invention filed in this country by any person who has, or whose legal representatives or assigns have, previously regularly filed an application for a patent for the same invention in a foreign country which affords similar privileges in the case of applications filed in the United States or to citizens of the United States, shall have the same effect as the same application would have if filed in this country on the date on which the application for patent for the same invention was first filed in such foreign country, if the application in this country is filed within twelve months from the earliest date on which such foreign application was filed; but no patent shall be granted on any application for patent for an invention which had been patented or described in a printed publication in any country more than one year before the date of the actual filing of the application in this country, or which had been in public use or on sale in this country more than one year prior to such filing.

Title 35, U.S. Code, § 120

Benefit or earlier filing date in the United States

An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

Please read carefully before signing the Declaration attached to the accompanying Application.

If you have any questions, please contact Morgan & Finnegan, L.L.P.

FORM: COMB-DEC.NY
Rev. 4/2/98

**COMBINED DECLARATION AND POWER OF ATTORNEY FOR
ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,
DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PROCESS AND APPARATUS FOR CONVERTING OIL SHALE OR TAR SANDS TO OIL

the specification of which

- a. ☒ is attached hereto
- b. ☐ was filed on _____ as application Serial No. _____ and was amended on _____ (if applicable).

PCT FILED APPLICATION ENTERING NATIONAL STAGE

- c. ☐ was described and claimed in International Application No. _____ filed on _____ and as amended on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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☐ The attached 35 U.S.C. § 119 claim for priority for the application(s) listed below forms a part of this declaration.

<u>Country/PCT</u>	<u>Application Number</u>	<u>Date of filing (day, month, yr.)</u>	<u>Date of issue (day, month, yr.)</u>	<u>Claimed</u>	<u>Priority</u>
					[] YES [] NO
					[] YES [] NO
					[] YES [] NO

[] I hereby claim the benefit under 35 U.S.C. § 119(e) of any U.S. provisional application(s) listed below.

Provisional Application No.

Date of filing (day, month, yr.)

**ADDITIONAL STATEMENTS FOR DIVISIONAL,
CONTINUATION OR CONTINUATION-IN-PART OR
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I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or under § 365(c) of any PCT international application(s) designating the U.S. listed below.

09/457,729	December 10, 1999	Pending
US/PCT Application Serial No.	Filing Date,	Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)
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US/PCT Application Serial No.	Filing Date,	Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)
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US/PCT Application Serial No.	Filing Date,	Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)

08/551,019

October 31, 1995

Patented

US/PCT Application Serial No.

Filing Date,

Status (patented, pending, abandoned)/
U.S. application no. assigned (For PCT)

[X] In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the above listed prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith: John A. Diaz (Reg. No. 19,550), John C. Vassil (Reg. No. 19,098), Alfred P. Ewert (Reg. No. 19,887), David H. Pfeffer, P.C. (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C. H. Lin (Reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595), Michael A. Nicodema (Reg. No. 33,199), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddles (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676) and Michael M. Murray (Reg. No. 32,537) of Morgan & Finnegan, L.L.P. whose address is: 345 Park Avenue, New York, New York 10154; and Michael S. Marcus, Reg. No. 31,727, Joseph C. Redmond, Jr., Reg. No. 18,753; John E. Hoel, Reg. No. 26,279, and Stanley B. Green, Reg. No. 24,351 of Morgan & Finnegan, L.L.P., whose address is: 1775 Eye Street, N.W., Suite 400, Washington, D.C. 20006.

[] I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept and follow instructions from _____ as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and/or agents and me. In the event of a change in the person(s) from whom instructions may be taken I will so notify the U.S. attorneys and/or agents named hereinabove.

Full name of sole or first inventor Chalmer G. KIRKBRIDEInventor's signature* *Chalmer G. Kirkbride Jr. of Chalmer G. Kirkbride - deceased* date 3.6.00Residence 7806 4th Avenue, Bradenton, Florida 34209Citizenship U.S.A.Post Office Address 7806 4th Avenue, Bradenton, Florida 34209Full name of second joint inventor, if any James A. DOYLE

Inventor's signature* _____

date

Residence 8842 Eatonwick Road, Cordobia, Tennessee 38018

Citizenship U.S.A.

Post Office Address 8842 Eatonwick Road, Cordobia, Tennessee 38018

Full name of third joint inventor, if any Fred HILDEBRANDT

Inventor's signature* _____

date

Residence Box 31, NAMO, Alberta, TOA 2NO, CANADA

Citizenship CANADA

Post Office Address Box 31, NAMO, Alberta, TOA 2NO, CANADA

* Before signing this declaration, each person signing must:

1. Review the declaration and verify the correctness of all information therein; and
2. Review the specification and the claims, including any amendments made to the claims.

After the declaration is signed, the specification and claims are not to be altered.

[] ATTACHED IS ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY THIRD AND SUBSEQUENT INVENTORS FORM.

To the inventor(s):

The following are cited in or pertinent to the declaration attached to the accompanying application:

Title 37, Code of Federal Regulation, §1.56

Duty to disclose information material to patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with

which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Title 35, U.S. Code § 101

Inventions patentable

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Title 35 U.S. Code § 102

Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless --

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent,
- (b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other ...

Title 35, U.S. Code § 103

Conditions for patentability; non-obvious subject matter

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Title 35, U.S. Code § 112 (in part)

Specification

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Title 35, U.S. Code, § 119

Benefit of earlier filing date in foreign country; right of priority

An application for patent for an invention filed in this country by any person who has, or whose legal representatives or assigns have, previously regularly filed an application for a patent for the same invention in a foreign country which affords similar privileges in the case of applications filed in the United States or to citizens of the United States, shall have the same effect as the same application would have if filed in this country on the date on which the application for patent for the same invention was first filed in such foreign country, if the application in this country is filed within twelve months from the earliest date on which such foreign application was filed; but no patent shall be granted on any application for patent for an invention which had been patented or described in a printed publication in any country more than one year before the date of the actual filing of the application in this country, or which had been in public use or on sale in this country more than one year prior to such filing.

Title 35, U.S. Code, § 120

Benefit or earlier filing date in the United States

An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

Please read carefully before signing the Declaration attached to the accompanying Application.

If you have any questions, please contact Morgan & Finnegan, L.L.P.

FORM: COMB-DEC.NY
Rev. 4/2/98

**COMBINED DECLARATION AND POWER OF ATTORNEY FOR
ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,
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As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PROCESS AND APPARATUS FOR CONVERTING OIL SHALE OR TAR SANDS TO OIL

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- a. ☒ is attached hereto
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- c. ☐ was described and claimed in International Application No. _____ filed on _____ and as amended on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby specify the following as the correspondence address to which all communications about this application are to be directed:

SEND CORRESPONDENCE TO: MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, N.Y. 10154

DIRECT TELEPHONE CALLS TO: Michael S. Marcus, Esq.
(202) 857-7887

☐ I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a)-(d) or under § 365(b) of any foreign application(s) for patent or inventor's certificate or under § 365(a) of any PCT international application(s) designating at least one country other than the U.S. listed below and also have identified below such foreign application(s) for patent or inventor's certificate or such PCT international application(s) filed by me on the same subject matter having a filing date within twelve (12) months before that of the application on which priority is claimed:

☐ The attached 35 U.S.C. § 119 claim for priority for the application(s) listed below forms a part of this declaration.

<u>Country/PCT</u>	<u>Application Number</u>	<u>Date of filing (day, month, yr.)</u>	<u>Date of issue (day, month, yr.)</u>	<u>Claimed</u>	<u>Priority</u>
					[] YES [] NO
					[] YES [] NO
					[] YES [] NO

[] I hereby claim the benefit under 35 U.S.C. § 119(e) of any U.S. provisional application(s) listed below.

Provisional Application No.

Date of filing (day, month, yr.)

**ADDITIONAL STATEMENTS FOR DIVISIONAL,
CONTINUATION OR CONTINUATION-IN-PART OR
PCT INTERNATIONAL APPLICATION(S DESIGNATING THE U.S.)**

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or under § 365(c) of any PCT international application(s) designating the U.S. listed below.

09/457,729	December 10, 1999	Pending
US/PCT Application Serial No.	Filing Date,	Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)
08/058,184	April 10, 1998	Pending
US/PCT Application Serial No.	Filing Date,	Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)
08/843,178	April 14, 1997	Patented
US/PCT Application Serial No.	Filing Date,	Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)

08/551,019

October 31, 1995

Patented

US/PCT Application Serial No.

Filing Date,

Status (patented, pending, abandoned)/
U.S. application no. assigned (For PCT)

[X] In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the above listed prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

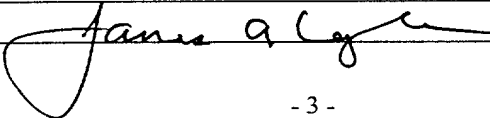
I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith: John A. Diaz (Reg. No. 19,550), John C. Vassil (Reg. No. 19,098), Alfred P. Ewert (Reg. No. 19,887), David H. Pfeffer, P.C. (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C. H. Lin (Reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595), Michael A. Nicodema (Reg. No. 33,199), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddles (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676) and Michael M. Murray (Reg. No. 32,537) of Morgan & Finnegan, L.L.P. whose address is: 345 Park Avenue, New York, New York 10154; and Michael S. Marcus, Reg. No. 31,727, Joseph C. Redmond, Jr., Reg. No. 18,753; John E. Hoel, Reg. No. 26,279, and Stanley B. Green, Reg. No. 24,351 of Morgan & Finnegan, L.L.P., whose address is: 1775 Eye Street, N.W., Suite 400, Washington, D.C. 20006.

[] I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept and follow instructions from _____ as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and/or agents and me. In the event of a change in the person(s) from whom instructions may be taken I will so notify the U.S. attorneys and/or agents named hereinabove.

Full name of sole or first inventor Chalmer G. KIRKBRIDE

Inventor's signature* _____

date

Residence 7806 4th Avenue, Bradenton, Florida 34209Citizenship U.S.A.Post Office Address 7806 4th Avenue, Bradenton, Florida 34209Full name of second joint inventor, if any James A. DOYLEInventor's signature* 

Feb 29 2000
Jay cordova / date

Residence 8842 Eatonwick Road, Cordoba, Tennessee 38018Citizenship U.S.A.Post Office Address 8842 Eatonwick Road, Cordoba, Tennessee 38018Full name of third joint inventor, if any Fred HILDEBRANDT

Inventor's signature* _____

date

Residence Box 31, NAMO, Alberta, TOA 2NO, CANADACitizenship CANADAPost Office Address Box 31, NAMO, Alberta, TOA 2NO, CANADA

* Before signing this declaration, each person signing must:

1. Review the declaration and verify the correctness of all information therein; and
2. Review the specification and the claims, including any amendments made to the claims.

After the declaration is signed, the specification and claims are not to be altered.

[] ATTACHED IS ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY THIRD AND SUBSEQUENT INVENTORS FORM.

To the inventor(s):

The following are cited in or pertinent to the declaration attached to the accompanying application:

Title 37, Code of Federal Regulation, §1.56

Duty to disclose information material to patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with

which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Title 35, U.S. Code § 101

Inventions patentable

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Title 35 U.S. Code § 102

Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless --

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent,
- (b) the invention was patented or described in a printed publication in this or foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other ...

Title 35, U.S. Code § 103

Conditions for patentability; non-obvious subject matter

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Title 35, U.S. Code § 112 (in part)

Specification

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Title 35, U.S. Code, § 119

Benefit of earlier filing date in foreign country; right of priority

An application for patent for an invention filed in this country by any person who has, or whose legal representatives or assigns have, previously regularly filed an application for a patent for the same invention in a foreign country which affords similar privileges in the case of applications filed in the United States or to citizens of the United States, shall have the same effect as the same application would have if filed in this country on the date on which the application for patent for the same invention was first filed in such foreign country, if the application in this country is filed within twelve months from the earliest date on which such foreign application was filed; but no patent shall be granted on any application for patent for an invention which had been patented or described in a printed publication in any country more than one year before the date of the actual filing of the application in this country, or which had been in public use or on sale in this country more than one year prior to such filing.

Title 35, U.S. Code, § 120

Benefit of earlier filing date in the United States

An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

Please read carefully before signing the Declaration attached to the accompanying Application.

If you have any questions, please contact Morgan & Finnegan, L.L.P.

FORM: COMB-DEC.NY

Rev. 4/2/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : KIRKBRIDE, et al.
Serial No. : 09/058,184 Group Art Unit: 1764
Filed : April 10, 1998 Examiner: Not yet assigned
For : PROCESS AND APPARATUS FOR CONVERTING OIL SHALE OR TAR SANDS TO OIL

RECORDATION FORM COVER SHEET PURSUANT TO 37 C.F.R. § 3.31

Hon. Commissioner Of Patents and Trademarks
BOX ASSIGNMENTS
Washington, D.C. 20231

Sir:

Please record the attached original documents or copy thereof.

1. Name of conveying party/parties:
Chalmer G. KIRKBRIDE, Jr., James A. DOYLE, Fred HILDEBRANDT
2. Name and address of receiving party/parties:
Name: CHATTANOOGA CORPORATION.
Internal Address: _____
Street Address: 7808 4th Avenue West
City Bradenton State Florida ZIP 34209

☐ Additional names and addresses attached.
3. Nature of Conveyance: ☒ Assignment ☐ Merger ☐ Security Agreement
☐ Change of Name ☒ Other: Order of Summary Administration
of the Estate of Chalmer G. Kirkbride Sr., deceased

Execution Date: March 31, 1999, November 6, 1998, November 12, 1998

4. Application Number(s) or Patent Number(s):
☐ This document is being filed together with a new application which was executed on _____
☒ Patent Application No.(s) 09/058,184
☐ Patent No.(s) _____

5. Address all future communications to:

MICHAEL S. MARCUS
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, New York 10154

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR § 3.41): \$40.00 per property x 1 property(ies) = \$40.00

☐ A check in the amount of \$_____ to cover the recordation fee is enclosed.

☒ Charge fee to Deposit Account No. 13-4500. Order No. 3495-7000.

☒ The Commissioner is hereby authorized to charged any additional fees which may be required for this recordation, or credit any overpayment to Deposit Account No. 13-4500. Order No. 3495-7000.

8. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.



Michael S. Marcus

Dated: April 12, 1999

Registration No. 31,727

(202) 857-7887 Telephone

(202) 857-7929 Facsimile

Total number of pages comprising this cover sheet 2

CORRESPONDENCE ADDRESS:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, New York 10154
(212) 758-4800 Telephone
(212) 751-6849 Facsimile

Assignor's name: James A. DOYLE

Assignor's signature: _____

Citizenship: United States of America

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this ____ day of ____, 19__.

STATE OF)

ss.:

COUNTY OF)

On this ____ day of ____, 19__, before me, the undersigned authority, personally appeared

to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposed therein specified.

Notary Public

Assignor's name: Fred HILDEBRANDT

Assignor's signature: _____

Citizenship: Canada

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this ____ day of ____, 19__.

STATE OF)

ss.:

COUNTY OF)

On this ____ day of ____, 19__, before me, the undersigned authority, personally appeared

to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposed therein specified.

Notary Public

ASSIGNMENT OF APPLICATION FOR PATENT

WHEREAS:

Chalmer G. KIRKBRIDE, Jr. 1245 Penna Avenue, Apt. 8, Miami Beach, Florida 33139;
James A. DOYLE, 8842 Eatonwick Road, Cordobia, Tennessee 38018; and
Fred HILDEBRANDT, Box 31, NAMAQ, Alberta, TOA 2N0, CANADA (full
name(s) and post office address(s) of inventor(s) (including country))

(hereinafter referred to as ASSIGNOR(S)), has made a discovery or invention entitled:

PROCESS AND APPARATUS FOR CONVERTING OIL SHALE OR TAR SANDS TO OIL (title
of discovery or invention)

- [] for which application for Letters Patent of the United States has been executed on even date herewith,
[X] for which application for Letters Patent of the United States has been filed on April 10, 1998, under
Serial No. 09/058,184, and

WHEREAS:

CHATTANOOGA CORPORATION, 7808 4th Avenue West, Bradenton, Florida 34209
(name and address of assignee)

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and
in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and
all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of the payment by ASSIGNEE to ASSIGNOR(S) for good and valuable
consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S) hereby sells, assigns and transfers to
ASSIGNEE, its successors, legal representatives and assigns, the full and exclusive right, title and interest to said
discovery or invention in the United States and its territorial possessions and in all foreign countries and to all Letters
Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign
countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or
reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may
be granted.

We, SAID ASSIGNORS, hereby authorize and request the Commissioner of Patents and Trademarks of the United
States of America and any Official of any country or countries foreign to the United States of America whose duty it
is to issue Letters Patent on applications as aforesaid, to issue all such Letters Patent for said discovery or invention
to the ASSIGNEE, as assignee of the entire right, title and interest in, to and under the same, for the sole use and
behalf of the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this
instrument.

We, SAID, ASSIGNORS, hereby covenant that we have full right to convey the entire right, title and interest herein sold, assigned, transferred and set over;

AND We, SAID ASSIGNOR(S) hereby further covenant and agree that the ASSIGNEE, its successors, legal representatives, or assigns, may apply for foreign Letters Patent on said discovery or invention and claim the benefits of the International Convention, and that we will, at any time, when called upon to do so by the ASSIGNEE, its successors, legal representatives, or assigns, communicate to the ASSIGNEE, its successors, legal representatives, or assigns, as the case may be, any facts known to me respecting said discovery or invention, and execute and deliver any and all lawful papers that may be necessary or desirable to perfect the title to the said discovery or invention, the said applications and the said Letters Patent in the ASSIGNEE, its successors, legal representatives and assigns, and that if reissues of the said Letters Patent or disclaimers relating thereto, or divisions, continuations, or refilings of the said applications, or any thereof, shall hereafter be desired by the ASSIGNEE, its successors, legal representatives, or assigns, I will, at any time, when called upon to do so by the ASSIGNEE its successors, legal representatives, or assigns, sign all lawful papers, make all rightful oaths, execute and deliver all such disclaimers and all divisional, continuation and reissue applications so desired, and do all lawful acts requisite for the application for such reissues and the procuring thereof and for the filing of such disclaimers and such applications, and generally do everything possible to aid the ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention or discovery in all countries, all without further compensation but at the expense of the ASSIGNEE, its successors, legal representatives and assigns.

Assignor's name: Chalmer G. KIRKBRIDE, Jr.

Assignor's signature: *Chalmer G. Kirkbride Jr.*

Citizenship: United States of America

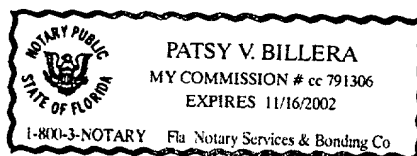
FLDL K 621-107-4B-019-0

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 31 day of MAR, 1999.

STATE OF FLORIDA)

COUNTY OF DADE)

SS.:)



On this 31 day of MAR, 1999, before me, the undersigned authority, personally appeared

to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposed therein specified.

Patsy V. Bill
Notary Public

ASSIGNMENT OF APPLICATION FOR PATENT

WHEREAS:

Chalmer G. KIRKBRIDE (Deceased), 7806 4th Avenue West, Bradenton, Florida 34209;

James A. DOYLE, 8842 Eatonwick Road, Cordobia, Tennessee 38018; and

Fred HILDEBRANDT, Box 31, NAMAQ, Alberta, TOA 2N0, CANADA

(full name(s) and post office address(s) of inventor(s) (including country))

(hereinafter referred to as ASSIGNOR(S)), has made a discovery or invention entitled:

PROCESS AND APPARATUS FOR CONVERTING OIL SHALE OR TAR SANDS TO OIL

(title of discovery or invention)

[] for which application for Letters Patent of the United States has been executed on even date herewith,

[X] for which application for Letters Patent of the United States has been filed on April 10, 1998, under Serial No. 09/058,184, and

WHEREAS:

CHATTANOOGA CORPORATION, 7808 4th Avenue West, Bradenton, Florida 34209

(name and address of assignee)

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of the payment by ASSIGNEE to ASSIGNOR(S) for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S) hereby sells, assigns and transfers to ASSIGNEE, its successors, legal representatives and assigns, the full and exclusive right, title and interest to said discovery or invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

We, SAID ASSIGNORS, hereby authorize and request the Commissioner of Patents and Trademarks of the United States of America and any Official of any country or countries foreign to the United States of America whose duty it is to issue Letters Patent on applications as aforesaid, to issue all such Letters Patent for said discovery or invention to the ASSIGNEE, as assignee of the entire right, title and interest in, to and under the same, for the sole use and behoof of the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

Assignor's name: James A. DOYLE

Assignor's signature: _____

Citizenship: United States of America

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this _____ day of _____, 19__.

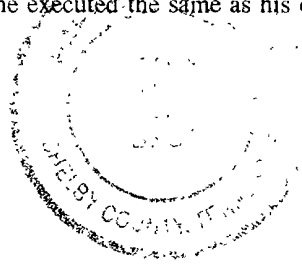
STATE OF Tennessee)

COUNTY OF Shelby)
SS.:

On this 6th day of November, 1998, before me, the undersigned authority, personally appeared

to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposed therein specified.

[Signature]
Notary Public exp 11/17/2001



Assignor's name: Fred HILDEBRANDT

Assignor's signature: _____

Citizenship: Canada

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this _____ day of _____, 19__.

STATE OF _____)

COUNTY OF _____)
SS.:

On this _____ day of _____, 19__, before me, the undersigned authority, personally appeared

to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposed therein specified.

Notary Public

ASSIGNMENT OF APPLICATION FOR PATENT

WHEREAS:

Chalmer G. KIRKBRIDE (Deceased), 7806 4th Avenue West, Bradenton, Florida 34209;

James A. DOYLE, 8842 Eatonwick Road, Cordobia, Tennessee 38018; and

Fred HILDEBRANDT, Box 31, NAMAQ, Alberta, TOA 2N0, CANADA

(full name(s) and post office address(s) of inventor(s) (including country))

(hereinafter referred to as ASSIGNOR(S)), has made a discovery or invention entitled:

PROCESS AND APPARATUS FOR CONVERTING OIL SHALE OR TAR SANDS TO OIL

(title of discovery or invention)

[] for which application for Letters Patent of the United States has been executed on even date herewith,

[X] for which application for Letters Patent of the United States has been filed on April 10, 1998, under Serial No. 09/058,184, and

WHEREAS:

CHATTANOOGA CORPORATION, 7808 4th Avenue West, Bradenton, Florida 34209

(name and address of assignee)

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of the payment by ASSIGNEE to ASSIGNOR(S) for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S) hereby sells, assigns and transfers to ASSIGNEE, its successors, legal representatives and assigns, the full and exclusive right, title and interest to said discovery or invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

We, SAID ASSIGNORS, hereby authorize and request the Commissioner of Patents and Trademarks of the United States of America and any Official of any country or countries foreign to the United States of America whose duty it is to issue Letters Patent on applications as aforesaid, to issue all such Letters Patent for said discovery or invention to the ASSIGNEE, as assignee of the entire right, title and interest in, to and under the same, for the sole use and behoof of the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

[illegible]

Notary Public

Assignor's name: James A. DOYLE

Assignor's signature: _____

Citizenship: United States of America

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this _____ day of _____, 19__.

STATE OF _____)

ss.:

COUNTY OF _____)

On this _____ day of _____, 19__, before me, the undersigned authority, personally appeared

to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposed therein specified.

Notary Public

Assignor's name: Fred HILDEBRANDT

Assignor's signature: *F. Hildebrandt*

Citizenship: Canada

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 12 day of November, 1998.

Province
STATE OF Alberta)

County
COUNTY OF Carden) ss.:

On this 12 day of November, 1998, before me, the undersigned authority, personally appeared

to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposed therein specified.

Kathy Tarrabain
Notary Public

KATHY TARRABAIN
BARRISTER & SOLICITOR

FORM: ASSIGNMENT

Rev. 10/04/94


**RECORDATION FORM COVER SHEET
PATENTS ONLY**

To The Honorable Commissioner of Patents and Trademarks:
Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Chalmer G. KIRKBRIDE, Jr. for Chalmer G. KIRKBRIDE (deceased) James A. DOYLE Fred HILDEBRANDT Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies): Name: CHATTANOOGA CORPORATION 7808 4 th Avenue West Bradenton, Florida 34209 Additional name(s) & addresses attached? <input type="checkbox"/> Yes <input type="checkbox"/> No
3. Nature of conveyance: Assignment <input type="checkbox"/> Other _____ Execution Date(s): <u>June 29, 2001</u>	4. Patent Application number(s) 09/522,475 filed March 9, 2000 Execution Date(s): _____
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Michael S. Marcus Address: MORGAN & FINNEGAN, LLP 345 Park Avenue New York, NY 10154-0053	6. Total number of applications involved: 1 7. Total fee (37 CFR 3.41): \$40.00 <input checked="" type="checkbox"/> Charge to Deposit Account No.: <u>13-4500, Order No. 3495-7000US1.</u> <input checked="" type="checkbox"/> Charge any deficiencies to Deposit Account <u>13-4500, Order No. 3495-7000US1.</u> (A duplicate copy of this sheet is enclosed)

DO NOT USE THIS SPACE**8. Statement and signature.**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of original document.

Name of Person Signing William E. Sekyi, Reg. No. 45,831	Signature 	Date: <u>June 29, 2001</u> Total no. of pages including cover sheet, attachments and document: <u>7</u>
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DO NOT DETACH THIS PORTION

Mail documents to be recorded with required cover sheet information to:

Director of Patents
Box Assignments
Washington, DC 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, DC 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, DC 20503.

ASSIGNMENT OF APPLICATION FOR PATENT

WHEREAS:

Chalmer G. KIRKBRIDE, Jr. 1245 Penna Ave. Apt. 8, Miami Beach, Florida 33139, U.S.A. beneficiary of the estate of Chalmer G. KIRKBRIDE (deceased)

James A. DOYLE, 8842 Eatonwick Road, Cordova, Tennessee 38018, U.S.A.; and

Fred HILDEBRANDT, Box 31, NAMAQ, Alberta, TOA 2N0, CANADA (full

name(s) and post office address(s) of inventor(s) (including country))

(hereinafter referred to as ASSIGNOR(S)), has made a discovery or invention entitled:

PROCESS AND APPARATUS FOR CONVERTING OIL SHALE OR TAR SANDS TO OIL (title
of discovery or invention)

[] for which application for Letters Patent of the United States has been executed on even date herewith,

[X] for which application for Letters Patent of the United States has been filed on March 9, 2000
under Serial No. 09/522,475, which is a continuation of Serial No. 09/058,184, filed on
April 10, 1998.

WHEREAS:

CHATTANOOGA CORPORATION, 7808 4th Avenue West, Bradenton, Florida 34209

(name and address of assignee)

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of the payment by ASSIGNEE to ASSIGNOR(S) for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S) hereby sells, assigns and transfers to ASSIGNEE, its successors, legal representatives and assigns, the full and exclusive right, title and interest to said discovery or invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

We, SAID ASSIGNORS, hereby authorize and request the Commissioner of Patents and Trademarks of the United States of America and any Official of any country or countries foreign to the United States of America whose duty it is to issue Letters Patent on applications as aforesaid, to issue all such Letters Patent for said discovery or invention to the ASSIGNEE, as assignee of the entire right, title and interest in, to and under the same, for the sole use and behalf of the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

We, SAID, ASSIGNORS, hereby covenant that we have full right to convey the entire right, title and interest herein sold, assigned, transferred and set over,

AND We, SAID ASSIGNOR(S) hereby further covenant and agree that the ASSIGNEE, its successors, legal representatives, or assigns, may apply for foreign Letters Patent on said discovery or invention and claim the benefits of the International Convention, and that we will, at any time, when called upon to do so by the ASSIGNEE, its successors, legal representatives, or assigns, communicate to the ASSIGNEE, its successors, legal representatives, or assigns, as the case may be, any facts known to me respecting said discovery or invention, and execute and deliver any and all lawful papers that may be necessary or desirable to perfect the title to the said discovery or invention, the said applications and the said Letters Patent to the ASSIGNEE, its successors, legal representatives and assigns, and that if reissues of the said Letters Patent or disclaimers relating thereto, or divisions, continuations, or refilings of the said applications, or any thereof, shall hereafter be desired by the ASSIGNEE, its successors, legal representatives, or assigns, I will, at any time, when called upon to do so by the ASSIGNEE its successors, legal representatives, or assigns, sign all lawful papers, make all rightful oaths, execute and deliver all such disclaimers and all divisional, continuation and reissue applications so desired, and do all lawful acts requisite for the application for such reissues and the procuring thereof and for the filing of such disclaimers and such applications, and generally do everything possible to aid the ASSIGNEE its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention or discovery in all countries, all without further compensation but at the expense of the ASSIGNEE, its successor, legal representatives and assigns.

Signed: 

(1) Chalmer C. KIRKBRIDE, Jr. for
Chalmer C. KIRKBRIDE (deceased)

Date: June - 29, 2001

(2) James A. DOYLE

Date: _____

(3) Fred RILDEBRANDT

Date: _____

ASSIGNMENT OF APPLICATION FOR PATENT

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(name and address of assignee)

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NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

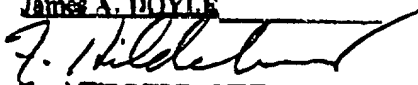
Be it known that in consideration of the payment by ASSIGNEE to ASSIGNOR(S) for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S) hereby sells, assigns and transfers to ASSIGNEE, its successors, legal representatives and assigns, the full and exclusive right, title and interest to said discovery or invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

We, SAID ASSIGNORS, hereby authorize and request the Commissioner of Patents and Trademarks of the United States of America and any Official of any country or countries foreign to the United States of America whose duty it is to issue Letters Patent on applications as aforesaid, to issue all such Letters Patent for said discovery or invention to the ASSIGNEE, as assignee of the entire right, title and interest in, to and under the same, for the sole use and behalf of the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

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AND We, SAID ASSIGNOR(S) hereby further covenant and agree that the ASSIGNEE, its successors, legal representatives, or assigns, may apply for foreign Letters Patent on said discovery or invention and claim the benefits of the International Convention, and that we will, at any time, when called upon to do so by the ASSIGNEE, its successors, legal representatives, or assigns, communicate to the ASSIGNEE, its successors, legal representatives, or assigns, as the case may be, any facts known to me respecting said discovery or invention, and execute and deliver any and all lawful papers that may be necessary or desirable to perfect the title to the said discovery or invention, the said applications and the said Letters Patent in the ASSIGNEE, its successors, legal representatives and assigns, and that if reissues of the said Letters Patent or disclaimers relating thereto, or divisions, continuations, or refilings of the said applications, or any thereof, shall hereafter be desired by the ASSIGNEE, its successors, legal representatives, or assigns, I will, at any time, when called upon to do so by the ASSIGNEE its successors, legal representatives, or assigns, sign all lawful papers, make all rightful oaths, execute and deliver all such disclaimers and all divisional, continuation and reissue applications so desired, and do all lawful acts requisite for the application for such reissues and the procuring thereof and for the filing of such disclaimers and such applications, and generally do everything possible to aid the ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention or discovery in all countries, all without further compensation but at the expense of the ASSIGNEE, its successors, legal representatives and assigns.

Signed:

- | | | |
|-----|--|----------------------------|
| (1) | <u>Chalmer G. KIRKBRIDE, Jr. for</u>
<u>Chalmer G. KIRKBRIDE (deceased)</u> | Date: _____ |
| (2) | <u>James A. DOYLE</u>
 | Date: _____ |
| (3) | <u>Fred HILDEBRANDT</u> | Date: <u>June 29, 2001</u> |

ASSIGNMENT OF APPLICATION FOR PATENT

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- ☐ for which application for Letters Patent of the United States has been executed on even date herewith,
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WHEREAS:

CHATTANOOGA CORPORATION, 7808 4th Avenue West, Bradenton, Florida 34209
(name and address of assignee)

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We, SAID ASSIGNORS, hereby covenant that we have full right to convey the entire right, title and interest herein said, assigned, transferred and set over;

AND We, SAID ASSIGNOR(S) hereby further covenant and agree that the ASSIGNEE, its successors, legal representatives, or assigns, may apply for foreign Letters Patent on said discovery or invention and claim the benefits of the International Convention, and that we will, at any time, when called upon to do so by the ASSIGNEE, its successors, legal representatives, or assigns, communicate to the ASSIGNEE, its successors, legal representatives, or assigns, as the case may be, any facts known to me respecting said discovery or invention, and execute and deliver any and all lawful papers that may be necessary or desirable to perfect the title to the said discovery or invention, the said applications and the said Letters Patent in the ASSIGNEE, its successors, legal representatives and assigns, and that if reissues of the said Letters Patent or disclaimers relating thereto, or divisions, continuations, or refilings of the said applications, or any thereof, shall hereafter be desired by the ASSIGNEE, its successors, legal representatives, or assigns, I will, at any time, when called upon to do so by the ASSIGNEE its successors, legal representatives or assigns, sign all lawful papers, make all rightful oaths, execute and deliver all such disclaimers and all divisional, continuation and reissue applications so desired, and do all lawful acts required for the application for such reissues and the procuring thereof and for the filing of such disclaimers and such applications, and generally do everything possible to aid the ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention or discovery in all countries, all without further compensation but at the expense of the ASSIGNEE, its successors, legal representatives and assigns.

Signed:

(1) Chalmer G. KIRKBRIDE, Jr. for
Chalmer G. KIRKBRIDE (deceased)

Date: _____

(2) 
James A. DOYLE

Date: June 29, 2001

(3) Fred H. DEBRANDT

Date: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) or Patentee(s):

Chalmer G. KIRKBRIDE et al.

Group Art Unit: 1764

Serial No.: 08/058,184

Examiner: B. Yildirim

Filed: April 10, 1998

For: PROCESS AND APPARATUS FOR CONVERTING OIL SHALE OR TAR SANDS TO OIL

STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR §1.9(d) AND §1.27(c)) - SMALL BUSINESS CONCERN

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN CHATTANOOGA CORPORATION

ADDRESS OF CONCERN 7808 4th Avenue West Bradenton, Florida 34210

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR §§ 121.3-18, and reproduced in 37 CFR § 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. I hereby state that exclusive rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: PROCESS AND APPARATUS FOR CONVERTING OIL SHALE OR TAR SANDS TO OIL by inventor(s): Chalmer G. KIRKBRIDE (Deceased); James A. DOYLE; Fred HILDEBRANDT

described in

- ☐ the specification filed herewith
☒ application Serial No. 09/058,184, filed April 10, 1998
☐ Patent No. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

NAME Gerald J. SmithADDRESS 7808 4th Ave West, Bradenton, FL 34209
☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

NAME _____

ADDRESS _____
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Gerald J. SmithTITLE OF PERSON IF OTHER THAN OWNER President of Chattanooga CorporationADDRESS OF PERSON SIGNING 7808 4th Avenue, West Bradenton, Florida 34210SIGNATURE Gerald J. Smith DATE June 11, 1999

NOTE: Separate statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)